

HARRIS BEACH PLC
ATTORNEYS AT LAW

September 19, 2024

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Via ECF

Hon. Jennifer L. Rochon
United States District Court
Southern District of New York
500 Pearl Street, Room 1920
New York, NY 10007

RE: *Ross Cooperman M.D. and Ross Cooperman, M.D. LLC v. Empire HealthChoice HMO, Inc. and Empire HealthChoice Assurance, Inc.*, 1:24-cv-00866
Letter Motion for Adjournment of Opposition

Dear Judge Rochon:

We represent the Plaintiffs in this action. We submit this letter motion to request a short extension of the deadline for Plaintiffs to file opposition to Defendant's motion to dismiss to September 30, 2024. Plaintiff has conferred with counsel for Defendants who consent to this application. This is the second request for an extension of this deadline by either party. Plaintiffs respectfully submit the following in support of this application.

Unfortunately, two weeks ago, the undersigned had an unexpected death in the family and was required to travel out of town to attend a family funeral. In addition, this past week, Roy Breitenbach, the lead attorney on this case, was forced to spend significant time out of the office to help an immediate family member who experienced a serious medical episode, requiring hospitalization. This has caused the two assigned attorneys to take significant time out of the office.

Due to the above, Plaintiffs' counsel requests additional time to put forth a meaningful response to Defendants' motion. This extension, to September 30, 2024, would provide Plaintiffs with sufficient time to submit an opposition to Defendants' motion to dismiss. Additionally, the parties have conferred and agreed to the extension as it would not prejudice either party or affect any other scheduled dates.

If Your Honor is amenable to this request, Plaintiffs respectfully request that the following briefing schedule be entered:

Deadline for Plaintiffs to file opposition to Defendant's motion: September 30, 2024

Deadline for Defendant to file reply: October 22, 2024

Thank you for your consideration of the instant application.

Hon. Jennifer L. Rochon
September 19, 2024
Page 2

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Plaintiffs' request for an extension to respond to Defendants' motion to dismiss is GRANTED. Plaintiffs shall file their opposition to Defendants' motion by September 30, 2024, and Defendants shall file their reply by October 22, 2024.

Very truly yours,

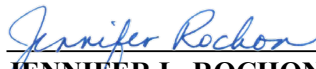
HARRIS BEACH PLLC

Dated: September 23, 2024
New York, New York

SO ORDERED.

/s/ Daniel S. Hallak
Daniel S. Hallak

DSH:ab


JENNIFER L. ROCHON
United States District Judge